

RICHARD J. IDELL, ESQ. (SBN 069033)
ORY SANDEL, ESQ. (SBN 233204)
IDELL & SEITEL LLP
465 California Street, Suite 300
San Francisco, CA 94104
Telephone: (415) 986-2400
Facsimile: (415) 392-9259

Attorneys for Plaintiffs and Counter-Defendants
STEPHAN JENKINS, THIRD EYE BLIND, INC.,
3EB TOURING, INC. and STEPHAN JENKINS
PRODUCTIONS, INC.

JAMES A. MURPHY, ESQ. (SBN 062223)
MURPHY, PEARSON, BRADLEY & FEENEY
88 Kearny Street, 10th Floor
San Francisco, CA 94108-5530
Telephone: (415) 788-1900
Facsimile: (415) 393-8087

Attorneys for Defendant and Cross-Claimant
HISCOCK & BARCLAY, LLP

KENNETH M. LABBATE, ESQ. (admitted *pro hac vice*)
SANJIT SHAH, ESQ. (admitted *pro hac vice*)
DAVID A. NELSON, ESQ. (admitted *pro hac vice*)
MOUND, COTTON, WOLLAN & GREENGRASS

JOSEPH M. RIMAC, ESQ. (SBN 072381)
WILLIAM REILLY, ESQ. (SBN 177550)
RIMAC & MARTIN, P.C.
1051 Divisadero Street
San Francisco, California 94115
Telephone: (415) 561-8440
Facsimile: (415) 561-8430

Attorneys for Defendants Thomas I. Mandelbaum
and Selverne, Mandelbaum & Mintz, LLP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEPHAN JENKINS, an individual; THIRD
EYE BLIND, INC., a California corporation;
3EB TOURING, INC., a California

Case No.: CV-11-0211 EMC

STIPULATION RE: FURTHER
and related Case No. C11-3232 SI
(Fredianelli v. Stephan Jenkins, et
al)

corporation; and STEPHAN JENKINS PRODUCTIONS, INC., a California corporation,

Plaintiffs,

vs.

THOMAS IRVING MANDELBAUM, an individual; SELVERNE, MANDELBAUM & MINTZ, LLP, a New York limited liability partnership; HISCOCK & BARCLAY, LLP, a New York limited liability partnership; and DOES 1 through 500, inclusive,

Defendants.

HISCOCK & BARCLAY, LLP, a New York limited liability partnership,

Counter-Claimant,

vs.

STEPHAN JENKINS, an individual; THIRD EYE BLIND, INC., a California corporation; 3EB TOURING, INC., a California corporation; and STEPHAN JENKINS PRODUCTIONS, INC., a California corporation,

Counter-Defendants.

EXTENSION OF CASE MANAGEMENT CONFERENCE;

[PROPOSED] ORDER

(E-filing)

Hon. Edward M. Chen, Presiding

This Stipulation is entered into by and between all of the parties to the above action through their undersigned attorneys:

WHEREAS, the court at the last Case Management Conference ordered the case to mediation with a private mediator and ordered that the case be mediated before July 31, 2011; and

WHEREAS, the parties sought and obtained the agreement of the parties in a related case, *Fredianelli v. Jenkins*, Action No. 11-CV-01562-R-JC (originally filed in the Central District; transferred to the Northern District) to mediate the case with the above-referenced matter; and

WHEREAS, the parties agreed to mediate both cases before the Hon. Judge Scott Snowden (Ret.) of JAMS; and

WHEREAS, the case was mediated over a two-day period, July 12 and 13, 2011; and

WHEREAS, the parties are still working on settlement and jointly believe that additional time is needed to complete the mediation process and explore settlement;

NOW THEREFORE, the parties jointly request that the Court continue the Case Management Conference now set for August 12, 2011, for at least 90 days until a date in November of 2011, continue the effectiveness of its Case Management and Pretrial Order of April 22, 2011, including, but not limited to the provision that no motion(s) for summary judgment shall be filed prior to completion of mediation, and continue the mediation completion date for 90 days or until October 31, 2011.

MURPHY, PEARSON, BRADLEY & FEENEY

Dated: July 25, 2011

By: /s/
James Murphy
Attorneys for Defendant and Cross-Claimant
HISCOCK & BARCLAY, LLP

MOUND COTTON WOLLAN & GREENGRASS

Dated: July 25, 2011

By: /s/
Kenneth M. Labbate
Sanjit Shah
Attorneys for Defendants Thomas I. Mandelbaum;
and Selve, Mandelbaum & Mintz, LLP

IDELL & SEITEL LLP

Dated: July 25, 2011

By: /s/
Richard Idell
Ory Sandel
Attorneys for Plaintiffs and Counter-Defendants
STEPHAN JENKINS, THIRD EYE BLIND, INC.,
3EB TOURING, INC. and STEPHAN JENKINS
PRODUCTIONS, INC.

ATTESTATION OF CONCURRENCE

I, Richard J. Idell, as the ECF user and filer of this document, attest that, pursuant to General Order No. 45(X)(B), concurrence in the filing of this document has been obtained from Sanjit Shah and James Murphy, the above signatories.

IDELL & SEITEL LLP

Dated: July 25, 2011

By: /s/

Richard Idell

Ory Sandel

*Attorneys for Plaintiffs and Counter-Defendants
STEPHAN JENKINS, THIRD EYE BLIND, INC.,
3EB TOURING, INC. and STEPHAN JENKINS
PRODUCTIONS, INC.*

[PROPOSED] ORDER

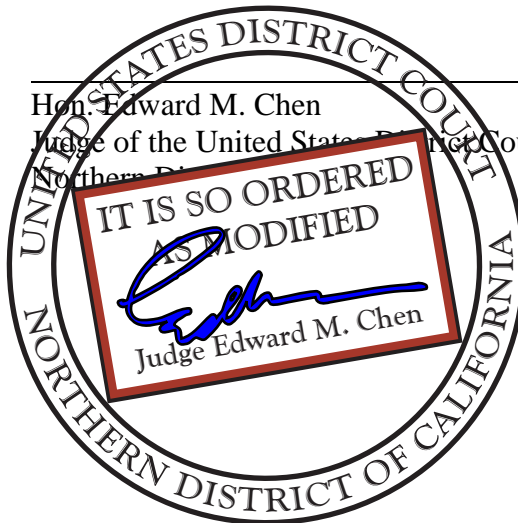
PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. The Status Conference for both related cases is set for 11/7/11 at 10:30 a.m. An updated Status Report shall be filed by 10/31/11.

Dated: 8/3/11

Hon. Edward M. Chen

Judge of the United States District Court

Northern District of California



PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Idell & Seitel LLP, 465 California Street, Suite 300, San Francisco, California 94104.

On July 25, 2011, I served the following document(s):

**STIPULATION RE: FURTHER EXTENSION OF CASE MANAGEMENT
CONFERENCE; [PROPOSED] ORDER**

- ☒ by **ELECTRONIC MAIL**. As this case is subject to the United States District Court for the Northern District of California ECF program, pursuant to General Rule 45, upon the filing of the above-entitled document(s) an automatically generated e-mail message was generated by the Court's electronic filing system and sent to the address(es) shown below and constitutes service on the receiving party.

JOSEPH RIMAC
WILLIAM REILLY
RIMAC MARTIN, P.C.
1051 Divisadero Street
San Francisco, California 94115
Telephone (415) 561-8440
Facsimile (415) 561-8430
Email: Jrimac@rimacmartin.com
W_reilly@rimacmartin.com

KENNETH M. LABBATE, ESQ.
SANJIT SHAH, ESQ.
**MOUND COTTON WOLLAN &
GREENGRASS**
One Battery Park Plaza
New York, NY 10004-1486
Telephone (212) 804-4200
Facsimile (212) 344-8066
Email: sshah@moundcotton.com,
klabbate@moundcotton.com
*Attorneys for Defendants Thomas I. Mandelbaum;
and Selverne, Mandelbaum & Mintz, LLP*

JAMES A. MURPHY
JOHN PAUL GIRARDE
**MURPHY, PEARSON, BRADLEY &
FEENEY**
88 Kearney Street, 10th Floor
San Francisco, California 94108-5530
Telephone (415) 788-1900
Facsimile (415) 393-8087
Email: jmurphy@mpbf.com,
jgirarde@mpbf.com
*Attorneys for Defendant Hiscock & Barclay,
LLP*

I certify and declare under penalty of perjury that the foregoing is true and correct, that I am employed in the office of an attorney qualified to practice in this court, and that I executed this declaration at San Francisco, California.


Amy Reyes